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April 14, 1999

K. David Waddell  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

In Re: BellSouth Telecommunications, Inc.'s Entry into Long Distance Interlata Service  
in Tennessee Pursuant to Section 271 of the Telecommunications Act of 1996  
Docket No. 97-00309

Dear David:

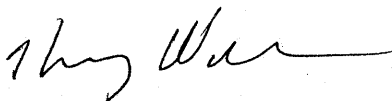
Enclosed please find the original plus thirteen (13) copies of Nextlink Tennessee, Inc.'s Response to BellSouth's Notice of Voluntary Dismissal Without Prejudice and Withdrawal of Advance Notice Section 271 Filing in the above-referenced docket.

Copies have been served on all parties of record.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:

  
Henry Walker

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**Nashville, Tennessee**

**IN RE:        BellSouth's Entry Into Long Distance (InterLATA) Service in Tennessee Pursuant  
              to Section 271 of the Telecommunications Act of 1996  
              Docket No. 97-00309**

**RESPONSE OF NEXTLINK TENNESSEE, INC. TO BELL SOUTH  
TELECOMMUNICATIONS, INC.'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT  
PREJUDICE AND WITHDRAWAL OF ADVANCE NOTICE OF SECTION 271 FILING**

NEXTLINK Tennessee, Inc. ("NEXTLINK"), does not oppose the request of BellSouth Telecommunications, Inc. ("BellSouth") to withdraw the advance notice of its intention to file an application for authority to provide interLATA service in Tennessee with the Federal Communications Commission ("FCC"). Nor does NEXTLINK oppose BellSouth's voluntary dismissal of its Statement of Generally Applicable Terms and Conditions ("SGAT") filed in the above-captioned proceeding, so long as BellSouth represents that it shall not use such dismissal to disadvantage any competitive provider in Tennessee with regard to BellSouth's provision of interconnection and related services to those competitive providers.

NEXTLINK and other parties to this proceeding have maintained that BellSouth's January 1998 filing of its intent to file its 271 application with the FCC was premature. Now, BellSouth apparently agrees, and concedes that its January, 1998 filing did not comply with the Tennessee Regulatory Authority's ("TRA" or "the Authority") requirement that BellSouth "file with the Authority a copy of its proposed Section 271 application to the FCC as well as all supporting documentation so that the TRA would have available to it the same or substantially the same information as the FCC." BellSouth attempts to explain that "events have overtaken the process" and implies that those unnamed "events" prevented BellSouth from presenting the Authority with the complete filing that BellSouth would make to the FCC "if that filing were to be made today, or any time in the near future."

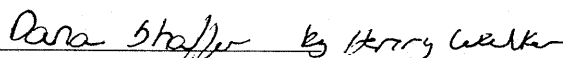
NEXTLINK is not aware of any "events" that have overtaken this proceeding. NEXTLINK's position, as has been its position throughout this proceeding, is that BellSouth itself knew that its filing was premature and, therefore, incomplete at the time it was filed. BellSouth's insistence on proceeding with this matter last year seems to have been based on something other than a good faith belief that BellSouth actually met the requirements of Section 271.

In order to prevent repeated premature filings by BellSouth, NEXTLINK suggests that the TRA direct that BellSouth:

1. file a complete copy of its 271 application, and all supporting evidence, at least ninety days before the company intends to file the application with the FCC,
2. submit an affidavit from a responsible company official that BellSouth believes that its application, at the time of filing, meets the requirements of 271 and the rules of the FCC interpreting those requirements, and
3. withdraw its application when and if BellSouth determines that it intends to amend the application before filing it with the FCC.

These proposed changes in the TRA's procedural rules would ensure that the TRA receives complete information on which to base its recommendation to the FCC and would prevent unnecessary expenditure of time and resources by the TRA and the parties in reviewing a premature application.

Respectfully submitted,

  
Dana R. Shaffer  
Vice President  
Legal and Regulatory Affairs  
NEXTLINK Tennessee, Inc.  
105 Molloy Street, Suite 300  
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## CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing has been hand delivered or mailed to the following persons on this the 14th day of April, 1999:

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